

**OFFICIAL WARNING**



**VIOLATION OF FEDERAL REGULATIONS**

CASE NO.

IN 120613

VIOLATOR

Customer # 10488  
Certificate # 32-A-0202  
David Wagler

ADDRESS (Street, City, State, Zip Code)

11511 E 550 N  
Loogootee, IN 47553

The Department of Agriculture has evidence that on or about **February 22, 2012 - January 19, 2012** you or your organization committed the following violation of Federal Regulations:

**9 CFR, SECTION**

**Failure to**

**2.40 (a)(1)**

- Employ an attending veterinarian under formal arrangement. Part-time attending veterinarian or consultant arrangements, shall include a written program of veterinary care and regularly scheduled visits to the premises of the dealer.

(Licensee using intranasal Bordatella vaccine not described in the Program of Veterinary Care.)

- Assure that the attending veterinarian has appropriate authority to ensure the provision of adequate veterinary care and to oversee the adequacy of other aspects of animal care and use.

**2.40 (a)(2)**

(Ivomec monthly for control of heartworm disease is not being administered as required by the Attending Veterinarian.)

**2.40 (b)(2)(3)**

- Establish and maintain adequate veterinary care that includes the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

(\*\*Tag#179 and #161 have old corneal scars on their left eyes, no diagnosis or treatment recommendation.

\*\*Tag#015 Hazy corneas in both eyes and crusting around the eyelids.

\*\*Tag#002 squints the left eye and continually holds it closed, small corneal lesion on the right eye.

\*\*Tag#189 has purulent mucus discharge from the eyes and cloudy corneas in both eyes.

## 9 CFR, SECTION

failure to

2.40 (b)(2)(3) (con't)

\*\*Tag#158 had cloudy lens and dilated pupil in the left eye, opaque cornea right eye, and thick green substance on the cheek teeth.

\*\*Tag#197 has severe crusting around the eyelid of both eyes, film over the eyeball and a red sclera of the left eye, redness on the eyeball and thick yellow substance over the cornea of the right eye, brown material over cheek teeth.

\*\*Tag#148 excessing crusting around both eyelids, hazy cornea and yellow green discharge over the eyeball.)

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS Official.

APHIS OFFICIAL (Name and Title)

Elizabeth Goldentyer, DVM

Regional Director

OFFICE ADDRESS:

920 Main Campus Dr., Suite 200

Raleigh, NC 27606

TELEPHONE NO. AC (919) 855-7100

DATE ISSUED

3/28/12

RECEIVED BY: (Name and signature)

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:

7011 1150 0002 0712 1733

APHIS FORM 7060

Previous editions may be used

(JUN 91) PART 1 - VIOLATOR